

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

IN RE: ZANTAC (RANITIDINE)  
PRODUCTS LIABILITY  
LITIGATION

MDL NO 2924  
20-MD-2924

JUDGE ROBIN L ROSENBERG  
MAGISTRATE JUDGE BRUCE REINHART

\_\_\_\_\_/

THIS DOCUMENT RELATES TO:

JURY TRIAL DEMANDED

Glenn Lee, individually, and o/b/o the Estate of Deborah Lee

**SHORT-FORM COMPLAINT**

The Plaintiff(s) named below, by counsel, file(s) this Short Form Complaint against Defendants named below. Plaintiff(s) incorporate(s) by reference the allegations contained in the Amended Master Personal Injury Complaint (“AMPIC”) in *In re: Zantac (Ranitidine) Products Liability Litigation*, MDL No. 2924 (S.D. Fla). Plaintiff(s) file(s) this Short-Form Complaint – Version 2 as permitted by Pretrial Order No. 31 and as modified by the Court’s Orders regarding motions to dismiss [DE 2532, 2512, 2513, 2515, and 2016].

Plaintiff(s) select(s) and indicate(s) by completing where requested, the Parties and Causes of Actions specific to this case. Where certain claims require additional pleading or case specific facts and individual information, Plaintiff(s) shall add and include them herein.

Plaintiff(s), by counsel, allege as follows:

**I. PARTIES, JURISDICTION, AND VENUE**

**A. PLAINTIFF(S)**

1. Plaintiff(s) **Glenn Lee** (“Plaintiff(s)”) brings this action (check the applicable designation):

☒ On behalf of himself; and

☒ In representative capacity as the Surviving Spouse and Personal Representative of the Estate of Deborah Lee, on behalf of the injured party, **Deborah Lee**.

2. Decedent died on **May 30, 2019**. At the time of Decedent's death, Decedent was a resident and citizen of **Arcadia, FL**.

If any party claims loss of consortium,

3. **Glenn Lee** alleges damages for loss of consortium.
4. At the time of the filing of this Short Form Complaint, Consortium Plaintiff is a citizen and resident of **Arcadia, FL**.
5. At the time the alleged injury occurred, Consortium Plaintiff resided in **Arcadia, FL**.

**B. DEFENDANT(S)**

6. Plaintiff(s) name(s) the following Defendants from the Amended Master Personal Injury Complaint in this action:

**a. Brand-Name Manufacturers:**

**BOEHRINGER INGELHEIM PHARMACEUTICALS, INC;  
BOEHRINGER INGELHEIM CORPORATION;  
BOEHRINGER INGELHEIM USA CORPORATION;  
SANOFI-AVENTIS U.S. LLC;  
SANOFI US SERVICES INC.  
PATHEON MANUFACTURING SERVICES LLC  
CHATTEM, INC.**

**b. Generic Manufacturers:**

**c. Distributors and Repackager:**

**d. Retailers:**

**e. Others Not Named in the AMPIC:  
DOES 1-100**

**C. JURISDICTION AND VENUE**

7. Identify the Federal District Court in which Plaintiff(s) would have filed this action in the absence of Pretrial Order No. 11 (direct filing) [or, if applicable, the District Court to which their original action was removed]:

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA**

8. Jurisdiction is proper upon diversity of citizenship.

**II. PRODUCT USE**

9. The Injured Party used Zantac and/or generic ranitidine: [*Check all that apply*]
- ☐ By prescription
- ☒ Over the counter
10. The Injured Party used Zantac and/or generic ranitidine from approximately (month, year) 1/2015-1/2017.

**III. PHYSICAL INJURY**

11. As a result of the Injured Party's use of the medications specified above, [*he/she*] was diagnosed with the following specific type of cancer (check all that apply):

Check all that apply	Cancer Type	Approximate Date of Diagnosis
<input type="checkbox"/>	BLADDER CANCER	
<input type="checkbox"/>	BREAST CANCER	
<input type="checkbox"/>	COLORECTAL CANCER	
<input type="checkbox"/>	ESOPHAGEAL CANCER	
<input type="checkbox"/>	GASTRIC CANCER	
<input type="checkbox"/>	KIDNEY CANCER	
<input type="checkbox"/>	LIVER CANCER	
<input type="checkbox"/>	LUNG CANCER	
<input checked="" type="checkbox"/>	PANCREATIC CANCER	4/2017
<input type="checkbox"/>	PROSTATE CANCER	

<input type="checkbox"/>	OTHER CANCER: _____	
<input checked="" type="checkbox"/>	DEATH (CAUSED BY CANCER)	5/30/2019

12. Defendants, by their actions or inactions, proximately caused the injuries to Plaintiff(s).

#### IV. CAUSES OF ACTION ASSERTED

13. The following Causes of Action asserted in the Amended Master Personal Injury Complaint are asserted against the specified defendants in each class of Defendants enumerated therein, and the allegations with regard thereto are adopted in this Short Form Complaint by reference.
14. By checking the appropriate causes of action below, Plaintiff(s) assert these causes of action based upon the law and applicable Sub-Counts of the following state(s):<sup>1</sup>

Check all that apply	Count	Cause of Action	States for which the cause of action was asserted in the AMPIC
<input checked="" type="checkbox"/>	I	Strict Products Liability – Failure to Warn through Warnings and Precautions (Against Brand-Name Manufacturer Defendants)	All States and Territories, <b>Except</b> DE, IA, MA, NC, PA, and VA
<input checked="" type="checkbox"/>	II	Negligence – Failure to Warn through Warnings and Precautions (Against Brand-Name Manufacturer Defendants)	All States and Territories, <b>Except</b> LA, NJ, OH, and WA
<input checked="" type="checkbox"/>	III	Strict Products Liability – Failure to Warn through Proper Expiration Dates (Against Brand-Name and Generic Manufacturer Defendants)	All States and Territories, <b>Except</b> DE, IA, MA, NC, PA, and VA
<input checked="" type="checkbox"/>	IV	Negligence – Failure to Warn through Proper Expiration Dates (Against Brand-Name and Generic Manufacturer Defendants)	All States and Territories, <b>Except</b> LA, NJ, OH, OK, and WA
<input type="checkbox"/>	V	Negligence - Failure to Warn Consumers through the FDA (Against Brand-Name and Generic Manufacturer Defendants)	CA, DE, DC, HI, IN, KY, LA, MD, MA, MN, MO,

<sup>1</sup> In selecting the relevant states above, Plaintiffs reserve all rights to argue choice of law issues at a later time.

Check all that apply	Count	Cause of Action	States for which the cause of action was asserted in the AMPIC
			NV, NY, OR, and PA
<input checked="" type="checkbox"/>	VI	Strict Products Liability – Design Defect Due to Warnings and Precautions (Against Brand-Name Manufacturer Defendants)	All States and Territories, <b>Except</b> DE, IA, MA, NC, PA, and VA
<input checked="" type="checkbox"/>	VII	Strict Products Liability – Design Defect Due to Improper Expiration Dates (Against Brand-Name and Generic Manufacturer Defendants)	All States and Territories, <b>Except</b> DE, IA, MA, NC, PA, and VA
<input type="checkbox"/>	VIII	Negligent Failure to Test (Against Brand-Name and Generic Manufacturer Defendants)	KS, TX
<input checked="" type="checkbox"/>	IX	Negligent Product Containers: (Against Brand-Name and Generic Manufacturers of pills)	All States and Territories
<input checked="" type="checkbox"/>	X	Negligent Storage and Transportation Outside the Labeled Range (Against All Retailer and Distributor Defendants)	All States and Territories
<input checked="" type="checkbox"/>	XI	Negligent Storage and Transportation Outside the Labeled Range (Against All Brand-Name and Generic Manufacturer Defendants)	All States and Territories
<input type="checkbox"/>	XII	Negligent Misrepresentation (Against Brand-Name Manufacturers by Generic Consumers in California)	CA only
<input type="checkbox"/>	XIII	Reckless Misrepresentation (Against Brand-Name Manufacturers by Generic Consumers in Massachusetts)	MA only
<input checked="" type="checkbox"/>	XIV	Unjust Enrichment (Against All Defendants)	All States and Territories
<input checked="" type="checkbox"/>	XV	Loss of Consortium (Against All Defendants)	All States and Territories
<input checked="" type="checkbox"/>	XVI	Wrongful Death (Against All Defendants)	All States and Territories

If Count XV or Count XVI is alleged, additional facts supporting the claim(s):

**Count XV:** Glenn Lee, lawful husband of Deborah Lee, provided care and support for Mrs. Lee throughout her battle with pancreatic cancer. Mr. Lee claims loss of companionship, comfort, assistance, protection, moral support, and intimacy due to the effects of Mrs. Lee's cancer injury.

**Count XVI:** Deborah Lee passed away as a result of metastatic recurrent pancreatic cancer, caused by the ingestion of Zantac/ranitidine.

**V. JURY DEMAND**

15. Plaintiff(s) hereby demand(s) a trial by jury as to all claims in this action.

**VI. PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff(s) has/have been damaged as a result of Defendants' actions or inactions and demand(s) judgment against Defendants on each of the above-referenced causes of action, jointly and severally to the full extent available in law or equity, as requested in the Amended Master Personal Injury Complaint.

DATED: 29th day of April, 2022

Respectfully Submitted,

s/ Adam Pulaski

Adam Pulaski

adam@pulaskilawfirm.com

Bret Stanley

bstanley@pulaskilawfirm.com

Marlo Fischer

marlo@pulaskilawfirm.com

2925 Richmond Avenue, Suite 1725

Houston, TX 77098

Telephone: 713-664-4555

Facsimile: 713-664-7543

**ATTORNEYS FOR PLAINTIFF**